

77-28b-3 Eligibility criteria for international transfer.

An offender must meet the following criteria before he may be considered for an international transfer:

- (1) the offender is a citizen of the receiving country;
- (2) the offender consents to transfer to his country of citizenship;
- (3) the offense committed by the offender constitutes a criminal offense under the laws of the receiving state;
- (4) the offender does not have fewer than 12 months remaining on his sentence at the time of the application for transfer;
- (5) the offender is not under a sentence of death;
- (6) the offender does not have collateral attacks or appeals on either the sentence or conviction pending;
- (7) all other provisions of the imposed sentence such as fines, restitution, and penalties are paid in full;
- (8) there are no detainers, wanted notices based on criminal convictions, indictments, informations, complaints, or parole or probation violation allegations pending against the offender; and
- (9) the offender meets all of the eligibility requirements of the treaty with his country.

Enacted by Chapter 324, 1990 General Session